

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

PHILLIP REMEL and BARBARA REMEL

PLAINTIFFS

V.

CIVIL ACTION NO.1:07CV126 LTS-RHW

STATE FARM FIRE AND CASUALTY COMPANY
and UNKNOWN DEFENDANTS

DEFENDANTS

ORDER GRANTING IN PART AND DENYING IN PART
STATE FARM'S MOTION [112] FOR PARTIAL SUMMARY JUDGMENT

In accordance with the Memorandum Opinions I have this day signed, it is

ORDERED

That State Farm Fire and Casualty Company's motion [112] for partial summary judgment is **GRANTED** as to the plaintiffs' claims of pre-storm misconduct by State Farm as set out in Counts 3, 7, 8, 9, 12, and 15 of the Complaint.

That State Farm Fire and Casualty Company's motion [112] for partial summary judgment is **GRANTED IN PART** and **DENIED IN PART** as to Count 1 of the Complaint. The motion is **GRANTED** as to the plaintiffs' claims based on State Farm's pre-storm conduct and **DENIED** as to the plaintiffs' claims based on State Farm's post-storm conduct.

That the State Farm Fire and Casualty Company's motion [112] for partial summary judgment is **DENIED** as to the plaintiffs' claims of post-storm misconduct by State Farm as set out in Counts 5, 6, 16, and 17.

SO ORDERED this 25th day of February, 2009.

s/ L. T. Senter, Jr.
L. T. SENTER, JR.
SENIOR JUDGE